

Highland Council

Resources Committee

Minute of Meeting of the **Resources Committee's Appeals Committee** held in Committee Room 2, Council Headquarters, Inverness on Monday 3 October 2016 at 10.00 a.m.

PRESENT

Mr B Fernie
Mr A Mackinnon

Mr B Lobban
Mr M Reiss

Officials in Attendance:-

Mr S Black, Director of Planning and Development Service (Management Side)
Ms E Barrie, HR Manager, Corporate Development Service (Management Side)
Mr J Gibson, Unison, Appellant's Representative
Mrs M Malcolm, Legal Manager, Corporate Development Service (Panel Adviser)
Mrs L Dunn, Principal Administrator, Corporate Development Service

Mr B Fernie in the Chair

BUSINESS

1. Apologies

Apologies for absence were intimated on behalf of Dr D Alston, Mr F Parr, Mr G Rimell, Mrs M Smith and Dr A Sinclair.

2. Declarations of Interest

Item 4 – Mr M Reiss

3. Exclusion of the Public

The Committee **RESOLVED** that under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for this item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 7A of the Act.

4. Grievance Appeal

Mr M Reiss declared a non-financial interest as the Vice Chairman of the Planning, Development and Infrastructure Committee but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude him from taking part in the discussion/decision.

There had been circulated a written Statement of Case prepared by the Appellant's Side, a written Statement of Case prepared by the Management Side, and a copy of the Appeals Hearing Procedure.

The Chairman welcomed both parties to the Hearing.

In accordance with the Appeals Procedure, the Appellant made a short statement and thereafter Mr J Gibson, Unison presented the Appellant's Side case during which a number of witnesses were called and heard. Thereafter, Mr S Black, Director of Planning and Development Service presented the Management Side case to the Committee, during which a number of witnesses were called and heard.

Following questioning and after the Management Side and the Appellant's Side had summed up their respective cases, both parties withdrew to allow the Committee to deliberate in private.

Having given careful consideration to the various issues raised, the Committee **AGREED** that:-

Point 1:

The grounds of the appeal have been substantiated in part and that the appeal be partially upheld.

Point 2:

The grounds of the appeal have been substantiated in part and that the appeal be partially upheld.

Point 3:

The grounds of the appeal have been substantiated in part and that the appeal be partially upheld.

Point 4:

The grounds of the appeal have been substantiated and the appeal be upheld.

The meeting ended at 4.30 p.m.